

RURAL CODE OF HAÏTI.

THE Chamber of the Representatives of Communes, on the proposition of the President of Haïti, and having heard the Report of its Committee of the Interior, has passed the six following laws, constituting the Rural Code of Haïti.

LAW, No. I.

ON THE GENERAL ARRANGEMENTS RELATIVE TO AGRICULTURE.

Article 1. Agriculture, being the main source of the prosperity of the state, shall enjoy the special protection and encouragement of the Civil and Military authorities.

2. The citizens, of the profession of agriculture, cannot be taken off from their pursuits, except in the cases pointed out by law.

3. All the citizens being bound to give their aid towards supporting the state, either by their services or their industry; those who shall not be employed in civil offices, or called out on military services; those who shall not be engaged in any business subject to the *patent*;* those who shall not be employed as working artificers, or as domestic servants; those who shall not be employed in the cutting of wood fit for exportation; and those, in fine, who shall not be able to show that they possess the means of subsistence, shall be bound to cultivate the earth.

4. Citizens of the agricultural profession shall not be at liberty to quit the country, in order to reside in cities or towns, without the authorization of the Justice of Peace of the Commune they wish to quit, and of that of the Commune where they mean to fix themselves; and the Justice of Peace shall not give his authorization, until he has assured himself that the applicant is a person of good behavior, who has correctly conducted himself in the canton he desires to quit, and that he has the means of subsistence in the

* A tax so named imposed on merchants, shopkeepers, tradesmen, &c.

town where he wishes to reside. All who shall not conform to these rules, shall be considered and dealt with as vagrants.

5. The children, of either sex, whom their parents (themselves engaged in agriculture) shall desire to send into the cities or towns to be apprenticed or educated, are not to be received either by master workmen, or by teachers of public or private schools, without a certificate of the Justice of Peace, which certificate shall be granted at the request either of the proprietor or principal renter of the place, or of the officer of the rural police, or of the father or the mother of the child. Every contravention of this rule shall subject to a fine of twenty-five dollars, to be paid by the person who shall have received the child without authorization.

6. Recruiting for the army can only take place by order of the President, and it shall not extend to citizens engaged in agriculture, unless the Chief of the State, induced by a pressing danger, shall give orders to that effect.

7. No shop, either wholesale or retail, shall be established, and no commerce in the produce of the island shall be carried on in the country parts on any pretext whatsoever. From this rule are excepted raw sugars delivered to the refineries, and molasses to the distilleries, and cotton in the seed when sent to the mill to be ginned.

8. Nevertheless the *patented* travelling pedlars, residing in, and going from, cities or towns, may, while travelling over the country, sell provisions, foreign merchandize, and hardware.*

9. The houses or cottages which private persons have already erected interior of the Communes, in situations where there is no regular township, but merely a collection of cottages, whether for their own accommodation or to let to others, shall be subject to the same tax, on the value of the rent of those houses, which is payable in cities and towns. In future, however, no cottage shall be erected in the country, where there is no recognised township, except when connected with a rural establishment.

10. No proprietor of land bordering on the sea shall possess boats or vessels except for the transport of his produce

* The articles 7 and 8 seem framed in the absurd spirit of many of our own old laws. They are probably intended to secure the revenue by confining the sale of taxable commodities and the residence of taxed (patented) traders to the towns.

to the neighboring city or town; and for this he shall have, from the Justice of Peace of the Commune, a license which shall be delivered gratis; and on no pretence shall these boats be at liberty to carry on the coasting trade of other ports, or of the adjacent little islands, nor the business of fishing except for the exclusive use of the plantation.

11. All the fines and forfeitures imposed by the Rural Code, shall be inflicted by the Justices of Peace when not exceeding the value of 100 dollars, and, when they exceed that sum, by the civil tribunals. The half of the said fines and forfeitures shall belong to the public treasury, the other half to the informer.

12. On the day of the festival of agriculture, (the first of May,) parties of cultivators from each section shall attend, at the place where the Council of Notables meets, with samples of their produce. The Council of Notables, in the presence of all the authorities, shall crown the cultivator who shall have best cultivated his farm, in each Section, and in each kind of culture; and he shall receive a prize of encouragement. Exact details of these proceedings shall be drawn up and made public.

13. Every year, on the first of September, the Council of Notables shall address, to the President of Haïti, a circumstantial report respecting the state of agriculture in each Commune, accompanied by their observations as to the best means of improving it.

14. At the end of the year, the Commandants of Departments shall, in like manner, render the President of Haïti an account of the state of agriculture in their respective departments, and also of the state of the roads and highways.

LAW, No. II.

ON THE GENERAL ADMINISTRATION OF THE DIFFERENT AGRICULTURAL ESTABLISHMENTS.

CHAPTER I.

Rules relating to the administration of agricultural establishments as respects the proprietors of the soil.

SECTION 1.—Of Landmarks, Boundaries, and Establishments.

15. All the landed properties situated in the country, and proceeding from grants made by the State, whether under the title of National property, or under that of partial Gift, which have not yet been surveyed or measured, must be so

within the space of one year from the date of the promulgation of the present code, under penalty of a fine of one dollar, for every *carreau* of land, to be paid by the proprietor. With a view to the due execution of this regulation, the Justice of Peace of the Communes shall, after the lapse of the above interval, on a declaration being made to him of the facts, employ a surveyor duly commissioned, to measure and draw a plan of the unsurveyed grounds at the expense of the delinquent grantee: when the amount of the fine shall be fixed, and levied together with the expense of the survey.

16. From the date of the promulgation of this law, no sale of property, situated in the country, can be executed before a notary, if that property shall not have been previously surveyed, and the boundaries previously recognised by the title-deeds, nor in any case can a partial sale take place unless the land shall have been previously surveyed. Notaries acting in contravention of this article shall incur the penalties of the law.

17. All grants of land made previous to the promulgation of the present code, and on which, in a year from that time, no settlement shall have begun; and all grants made subsequent to that time, on which, in a year from the date of the grant no settlement shall have commenced, shall revert to the domain of the state; and the title-deeds shall be given up and sent back to the Government.

18. To carry the last regulation into effect, the officer of Rural Police, in conjunction with the Council of Agriculture, shall report to the Justice of Peace, and military commandant of the Commune, the uncultivated state of the grant; and these, after ascertaining the correctness of this Report, shall examine and subscribe it, and then address it to the Commandant of the Department, who, after having obtained proof of the fact, shall withdraw the title-deed, and send it to the Government.

19. A settlement will be considered as begun, when there shall be a garden cultivated according to the rules established by law, and the extent of which shall be duly proportioned to the number of cultivators attached to the property.

20. The proprietors of cultivated lands, which are contiguous to each other, shall be bound, at their common expense, adequately to fence their properties. Any one refusing to do so shall be compellable by course of law.

21. The proprietors of rural estates are bound to cause

to be fixed, during any surveys made at their requisition, solid landmarks in iron or in masonry work, or in durable wood, under pain of a fine of five dollars for every landmark which may be wanting.

22. The proprietors who shall have neglected to execute the preceding regulation, shall be bound, besides paying the fine, to pay the artificer who shall be employed, by the orders of the Justice of the Peace of the Commune, to fix the requisite landmarks.

SECTION 2.—Of the obligations imposed on the proprietors or administrators of rural property.

23. It is specially forbidden to cut down the wood on the crest of mountains and for a hundred paces of their descent, or at the head or in the environs of springs, or on the banks of rivers. The proprietors of lands watered by springs or rivers, must surround the head of those springs, and plant the borders of the rivers with plantain-trees, bamboos, and other trees calculated to promote coolness.

24. When a proprietor intends to set fire to new wood, or to a field of old canes, or to savannahs, or to any other kind of field, he shall be bound, twenty-four hours before, to apprise all the neighbors bordering upon him, of his intention, under the penalty of paying for all the damage which the fire may occasion.

25. As soon as a fire shall break out on an estate, the neighboring proprietors and cultivators shall be bound to repair thither, in order to assist in arresting its progress.

26. It is forbidden to kindle a fire in the savannahs or in the fields or gardens of plantations, without the express permission of their proprietors, renters, managers, or conductors.

27. There must not be kept on estates appropriated to cultivation, manufactures, and other establishments, any more cattle than are required for carrying on the work of them, or for the use of the proprietors, managers, conductors, renters, or cultivators: and these animals must be kept during the day in herds, and at night in pens or enclosed in fields.

28. Animals of the horse kind, horned cattle, swine, &c., appropriated to breeding, cannot be kept except on breeding establishments, according to the law relating to such establishments.

29. No proprietor, renter, or manager of a plantation can establish on his estate a system contrary to that established by law.

30. No company or association of cultivators, fixed on the same plantation, shall be allowed to rent the whole of the estate on which they reside, in order to manage it by themselves as a partnership.

31. The cottages or dwellings of the cultivators must be built on one and the same point of the plantation to which they are attached.

CHAPTER II.

Of cultivation generally.

32. The principal branch of cultivation consists in the raising of plants and trees yielding produce for exportation to foreign countries, grain of all descriptions, and all kinds of food and roots, designed for the subsistence of the population.

33. All who carry on this principal branch of culture, are not subject to the territorial and land tax, except on the gross produce fit for exportation, which they shall have got in.

34. The secondary branch of cultivation, consists of the culture merely of pot herbs, of flowers, of fruit-trees, of provisions, and of fodder, when the growth of these takes place on estates which are not established for carrying on the principal branch of cultivation.

35. Those whose establishment is especially directed to the secondary branch of cultivation, are subject to the territorial and land tax on the estimated value of their produce in each six months.

36. On every rural establishment, they shall be bound to cultivate provisions, grain, fruit-trees, such as the bread-tree, &c., sufficient for the sustenance of the persons employed there.

37. All the gardens, whether they produce provisions or grain, must be carefully attended to, under the responsibility of the proprietor, renter, or manager, who in case of neglect, shall be condemned to a fine of from three to fifteen dollars.

38. On every plantation the cultivators attached to it, and who work for a fourth of the produce, shall be bound to have, for their personal use, a garden of provisions, which they shall cultivate during their hours or days of repose.

39. With this view, the proprietors, renters, or managers, shall be bound to place at the disposal of the cul-

tivators, the land necessary for the formation of their private gardens.

40. The dikes, reservoirs, and conduits which serve to supply and distribute the water required for the inhabitants, both for irrigation, and for every other useful purpose, shall be kept in order by all the parties interested, who shall be bound to contribute to the labors necessary to that end. No one can refuse to share in these labors; nor can he alienate his neighbor's share of the water without his consent. Every one acting contrary to these rules shall pay a fine of from ten to fifty dollars, and shall be bound to repair at his own charge the conduit which he shall have obstructed or destroyed.

41. When on any rural property the produce of it shall be on the point of being packed in sacks, bales, casks, or other packages, the officer of the Rural Police of the Section, shall have the right of examining it to satisfy himself that there is no fraud; and when there is, he shall stop the delivery, and immediately report the matter to the Justice of Peace of the Commune. If the produce has only been badly prepared, he shall suspend its removal, and oblige the parties to clean it anew.

42. The Justice of Peace, on receiving the report, shall appoint skilful persons to examine the produce, and if fraud should be proved, the produce shall be forfeited to the State.

43. The produce intended for exportation, cannot quit the plantation to be carried to the cities or towns, and delivered for sale, without a permit from the proprietor, when he resides on the estate, or when he does not reside, from the officers of the Rural Police of the Section. The permit shall be furnished gratis, on unstamped paper, by the officer of the Police, who shall be bound to register it.

44. All produce removed in contravention of this regulation, shall be seized on the way, and taken to the Justice of Peace of the Commune, who shall ascertain whether the produce has not been stolen, in order that it may be sent back to the proprietor, and that the presumed offender may be prosecuted. If it should appear that the proprietor himself had failed to furnish the permit, he shall pay a fine of from three to five dollars.

LAW, No. III.

CONCERNING THE MUTUAL CONTRACT BETWEEN THE PROPRIETORS OR PRINCIPAL RENTERS AND THE CULTIVATORS OR LABORERS, AND THE RECIPROCAL OBLIGATIONS OF BOTH.

CHAPTER I.

General regulations.

45. Those persons who shall not be in the actual service of the State, as soldiers, mechanics, or otherwise, and whose profession it is to cultivate the ground, or to cut timber for exportation, shall be obliged for their mutual security, to enter into a reciprocal engagement with the proprietor or chief renter of the rural property, or of the woodland, where they are to exercise their industry. The contract may be entered into either collectively or individually, at the pleasure of the contracting parties.

46. The duration of these contracts cannot be for a shorter time than two years, nor for a longer time than nine years, in a case of the secondary branch of cultivation and manufactures; nor a shorter time than three years, nor for a longer than nine, for the other branches of cultivation; nor for less than six months, nor longer than a year, for the cutting of wood for exportation.

47. The contract shall be made on stamped paper, before a Notary, who shall preserve a minute of it, and who must express clearly all the conditions entered into by the contracting parties, who shall be at liberty to make such stipulations as they shall judge suitable, provided these do not contravene the regulations of the present code.

48. Every proprietor, renter, or manager of a plantation who shall there receive or admit of any cultivators, without making with them the contract required by the two preceding articles, shall be condemned for the first offence to a fine of ten dollars for every person so received without a contract, and to double that sum in case of a second offence; and besides this, the proprietor, renter, or manager, shall not be able to bring any action at law, against the cultivators who may have failed to fulfil their verbal agreements. The same rule will apply to wood cutters for exportation.

49. Every contract entered into with a cultivator, whose former contract shall not have been terminated, shall be null and void; and the cultivator, who shall have entered into this second contract, shall be sent back, at his own expense, to the property on which he had engaged himself, and shall be subject to the fine fixed by the last article.

50. The headmen of parties contracting to work for half of the produce shall share, in an equal proportion of half, with the principal proprietor of the plantation, in all they shall reap on that particular estate, in the way of fruit, provisions, pulse, grain, and produce of every kind.

51. Whenever, on sugar plantations, the labor shall be done for half of the produce, the proprietor, before the division is made, shall deduct a fifth part of the gross produce, as an equivalent for the hire of machinery, utensils, cattle, &c., employed in carrying on the work, and for the expense of repairs. In the culture of other articles the amount of the expenses caused by the rent, or by the charge of carrying on the work, shall be deducted previous to the division.

52. The cultivators, contracting with the laborers for a fourth part of the returns they produce, shall have for their share a fourth part of the gross of all they raise. They shall enjoy the whole of what they raise on their own private gardens, cultivated by themselves during their hours or days of rest.

53. Whenever, in the great plantations of sugar, coffee, cotton, and indigo, the season shall require that the labor should be pressed with activity, the different associations laboring for half, employed in the same plantation, shall mutually assist each other in their labors, giving and repaying to each other an equal number of days' labor. The administrator of the property shall regulate this kind of mutual aid.

54. When the products or crops, whatever they be, shall be prepared and collected, whether they proceed from laborers working for a fourth, or associations laboring for a half, they cannot be removed from the property where they were grown, until a division shall have taken place between the proprietor or chief renter, and the cultivator laboring for a fourth, or associations for a half of the produce.

55. Upon sugar plantations, the division of the shares coming to the cultivators shall be made after the grinding of each piece of cane. On the plantations where they only cultivate provisions or grain; or cut wood for firewood or for charcoal, or for cabinet work or building; or raise fodder; or are engaged in other irregular works, the division shall be made to the workmen only every six months. On other plantations, as of coffee, cotton, cocoa, indigo, &c., the division shall take place at the end of the respective crops.

56. When the periods arrive for dividing the proceeds among the cultivators, the officer of the Rural Police of the Section in which the plantation is situated, shall be called by the proprietor, chief renter, or the manager to witness the division. The accounts of the articles manufactured, or other produce reaped, shall be exhibited, with a certificate of the price current, and one from the purchaser of the commodities mentioned in the last article. The list of persons entitled to share shall be settled, and the proceeds shall be reckoned up.

57. Each of the co-sharers shall be inscribed in the Distribution List, according to their strength and the activity and the time they have worked, either in the first, second, or third class. And the money to be shared shall be divided into quarter shares, half shares, and whole shares. The Conductors of the laborers contracted for a fourth of the produce, and the headmen of the associations laboring for a half, shall each have three whole shares. The head sugar boilers, the head wagoners, and, in short, the head of each department of labor, shall have two shares. The good workers of the first class, whether men or women, shall have a share and a half; those of the second, one share; those of the third, three quarters of a share; children from twelve to sixteen years of age, who have made themselves serviceable according to their capacities, and the old people who can only work moderately, half a share; and children from nine to eleven, who have been occupied according to their age and strength, and infirm persons, shall have a quarter share. The broken money, arising from the formation of the shares, shall go to augment the portion of those laborers who shall have displayed the greatest punctuality and perseverance in their labors.

58. There shall be furnished to the laborers daily tickets, to show the days they are present at work. Every week these daily tickets shall be withdrawn and replaced by weekly tickets, which shall be brought into account when the division of the money, arising from the crops, takes place.

59. In no case shall the officer of the Rural Police of the Section withdraw, from the share divided, any part for himself. He shall prepare a written statement of the division that has been made, which shall be addressed, along with the documents in verification of it, to the Council of Notables of the Commune, there to be referred to, if necessary.

60. Proprietors, renters, or managers, cannot give a permit to a cultivator or under-tenant to travel in the same Commune, and to absent himself from his home and his labor for more than eight days, which permit shall be delivered gratis on unstamped paper, and examined and subscribed by the officer of the Rural Police. When a permit is required for a longer time, the proprietor, chief renter, or manager, shall refer the matter to the Commandant of the Commune.

CHAPTER II.

Of the Obligation of Proprietors, Renters, or Managers, towards the Cultivators.

61. Proprietors or renters cannot give a permit, cannot employ, except in agricultural labor, and in such labor as is connected therewith, the cultivators who shall have contracted with them. They are bound to behave to them as good fathers of families.

62. Proprietors or chief renters shall furnish, at their cost and charge, the tools and implements of husbandry for the cultivators contracting to work for a fourth of the produce. These tools cannot be renewed unless it is shown that they have been worn out, or been in the service of the proprietors. The cultivator, however, who shall lose the tools supplied to him, shall be bound to replace them; and if he does not, others will be furnished to him, the value of which shall be retained out of his portion of the income.

63. The proprietor, or chief renter, shall be bound to furnish, without expense, to the cultivators working for a fourth, the means of conveying their shares of the produce to the place of sale. Those associated for half shall convey it thither at their own charge.

64. When the proprietor or chief renter undertakes to sell, or cause to be sold, the portion of the produce coming to the cultivators for a fourth, or to the associations laboring for a half, he shall be bound to furnish clear, legal proof of the price current of the articles at the time they are sold, and to produce, at the time of dividing the proceeds, the certificate of the purchaser, as well as the attestation of the price current.

65. When the part of the produce coming to the cultivators working for a fourth, or for a half, shall be sold by the conductors of the workmen, or the headmen of the associations, these shall be equally bound to furnish proof of the

price current of the article at the moment of sale, and to exhibit the certificate of the purchaser, (as fixed in the last article,) in order to show that the co-sharers receive fairly that part of the produce of their labor to which they are entitled.

66. In no case can the proprietors or chief renters deduct any part of the share coming to the cultivators working for a fourth, or to the associations working for a half, in order to pay the managers; their salaries shall be placed to the account of the proprietor or chief renter.

67. Proprietors or renters shall be bound, under penalty of a fine of from five to fifteen dollars, to agree beforehand with a medical practitioner; if there be one in the Commune, to look after their cultivators, and furnish the necessary medicines; these medicines being furnished gratis to the cultivators contracting at a fourth; but being paid for at cost price, when furnished to associations working for half, or to under tenants.

68. Proprietors and chief renters and rural proprietors, must look to it that the infant children on the property be well taken care of. To this end one or more females shall be expressly appointed to the charge, the remuneration for whose attention shall be paid by the cultivators, in proportion to the number of their children.

CHAPTER III.

Of the Obligation of the Cultivators towards the Proprietors, Renters, or Managers.

69. The cultivators shall be obedient and respectful to the proprietors and renters with whom they have contracted, as well as to the managers.

70. The cultivators are bound to execute, with zeal and punctuality, all the agricultural labors which shall be required of them by the proprietors, renters, or managers, with whom they shall have contracted.

71. The cultivators, whatever be the nature of their contract, shall be bound to devote their whole time to the labors they have engaged to perform, and on no account to leave them. They shall not be at liberty to absent themselves from their habitation, except from Saturday morning to Monday at sunrise, without the consent of the proprietors, chief renters, or managers. On all the other working days they shall be bound to have a permit from the proprietor, chief renter, or manager, if they are not going

out of the Commune. But if they are, the permit shall be examined and subscribed by the officer of the Rural Police of the Section, and by the Commandant of the Place.

72. The cultivators working for a fourth, or associations for a half of the produce, shall be bound to prepare, and put in a state fit for delivery, the portion of the produce belonging to the proprietor or chief renter, and to convey that produce to the place for delivery, the proprietor or chief renter furnishing the means for transportation.

CHAPTER IV.

Of the under contracts, between the Farmers contracting for half, and the Cultivators employed by them.

73. The sub-tenants, and the head men of associated parties upon the plantations, shall have the power of forming sub-contracts directly with the cultivators; but they shall continue responsible to the proprietor or chief renter for the acts of the sub-contracting parties.

74. The number sub-contracting cannot exceed ten for each sub-tenant or headman of an association.

CHAPTER V.

Of the Rules relating to such as, being in the service of the Republic, reside and labor on Rural Properties.

75. Soldiers in active service, or other persons in the employment of the State, may make arrangements with the proprietors or chief renters, and with headmen of associations, working for half, or under tenants, to labor in cultivating the ground, either for a fourth or a half, or as sub-tenants. In this case, they shall be subject to all the obligations which they shall have contracted, and which shall be compatible with their public duties.

76. When soldiers, or others in the service of the State, who have fixed their residence on a plantation, shall not have contracted with the proprietor or renter of that property, they may still make arrangements with him, either verbally or in writing, to work by the week, by the month, or by the job, at such price and on such terms as shall be agreed between them, but these soldiers shall be bound to give their assistance, without any payment on that account, in all the labors connected with the conduits for irrigation, and with the other wells and cisterns, as well as the fences and enclosures of the gardens and savannahs, and the general maintenance of good order on the property.

77. When the soldiers or others in the service of the State, shall not act agreeably to the two last articles, in regard to the proprietors or chief renters, they may be sent away from the property.

78. The soldiers, or others in the service of the State, who shall contract with proprietors or renters to work for wages, by the week or otherwise, must respect and obey the said proprietors, renters, or managers of the property on which they shall labor.

79. When soldiers, or others in the service of the State, shall have been required by the proprietor, chief renter, or manager, to work by the day, by the week, or by the job, or otherwise, in a field cultivated by laborers for a fourth, or to assist in the manufacture, or gathering in of the crop of produce, the wages paid to this description of laborers shall be deducted from the mass of the proceeds of this labor before the fourth, coming to the cultivators, shall be deducted.

80. When laborers, such as are spoken of in the preceding article, shall be required, by the headman of an association working for half, to assist them in their labors, the wages paid to them shall be deducted from the portion coming to the associated body, before the distribution of it to that body can be made. If these laborers should quit of their own accord the work for which they have been engaged, before the end of the week, they shall have no claim for the time they shall have worked during the former part of the same week.

CHAPTER VI.

On the method of terminating difficulties between proprietors, renters, managers, cultivators, associated persons, sub-tenants, &c.

81. When differences shall arise between agricultural proprietors, principal renters, managers, and cultivators, associates for half, or sub-tenants, the parties shall first carry their complaints or claims before the officer of Rural Police of the Section, who, assisted, if need be, by the Council of Agriculture of the quarter, shall forthwith employ himself in amicably terminating the differences, as far as they may be within his province.

82. In cases where the differences are of a nature not to be decided by the officer of the Rural Police, assisted by the Council of Agriculture, he shall call upon the parties to choose arbiters, within the Section, to settle and decide their differences.

83. In cases where the differences cannot thus be settled by arbitration on the spot, or where the parties shall not have named arbiters, the officer of the Rural Police shall wait till Saturday or Sunday in order to send the parties before the Justice of Peace of the Commune. The whole must be concluded within six days at most.

84. The Justice of Peace shall be obliged to decide the difference, and shall not be at liberty, under pain of being punished for a denial of Justice, to allege the silence of the law on the case brought before him for his decision.

85. The Justice of Peace shall be bound to pronounce within twenty-four hours, at the utmost, after the appearance of the parties.

LAW, No. IV.

CONCERNING BREEDING FARMS.

CHAPTER I.

Of the establishment and administration of breeding farms.

86. Breeding farms cannot be established except in places sufficiently distant, not less at the least than a league, from the plantations cultivated for produce.

87. In future, in order to establish a breeding farm for horned cattle, it is necessary to be a proprietor of at least fifty *carreaux** of land provided with the necessary pasturage; and for hogs twenty-five *carreaux*.

88. The number of keepers on breeding farms cannot exceed five men, comprising the master keeper, they having with them their wives and children.

89. Every keeper of a breeding farm, who shall find in the herds committed to his care, or in the savannahs of the breeding farm on which he is employed, any strange animals, shall be bound to give notice of them forthwith to the neighboring cattle keepers; and if these animals should not belong to their cattle pens, then notice of them shall be given to the officer of the Rural Police of the Section.

90. After these strange animals have remained three months in the savannah of a breeding farm, without being reclaimed by their owners, they shall be taken by the cattle keeper before the Justice of Peace of the Commune, in order that they may be conducted to the pound.

91. As soon as an animal on a breeding farm shall appear to be attacked by a contagious disorder, it must, under pain of

*A *carreaux* contains about three Acres.

a fine of ten or twenty dollars, payable by the cattle keeper, be separated and shut out from all communication with the other cattle, in order to be taken proper care of till its cure or death.

92. Every animal dying on a breeding farm of a contagious disorder shall be burnt or buried.

93. It is forbidden on pain of a fine of ten or twenty dollars, payable by every offender, to set fire to the savannahs of breeding farms without permission of the officer of the Rural Police of the Commune.

94. When it shall happen that cattle die on the plantations, of ordinary maladies, or by accident, if the proprietor or chief renter of the breeding farm is not present, the master keeper shall be bound to obtain an attestation of the death of the animal from the officer of the Rural Police, or from some of the neighbors; and the skin, having the stamp or mark, shall be produced to the proprietor, otherwise the keeper shall be bound to replace the animal.

95. The animals, not only those of the breeding farms, but those which are employed in the work of plantations, cannot be stamped except with cast stamps; and it is forbidden to make marks on these animals by the hand.

CHAPTER II.

Of contracts between the proprietors or renters of breeding farms and those employed on them.

96. The proprietors or renters of breeding farms cannot receive on their farms any keepers or other persons, unless they have previously contracted with them agreeably to the article 47, of Law III.

97. The obligations imposed reciprocally on rural proprietors or renters and the cultivators, shall be common to the proprietors or renters of breeding farms, and all employed by them, in all that concerns good order and the General Police.

98. Neither the master cattle keeper nor any other cattle keeper can receive on the breeding farm where they are employed, animals or cattle belonging to other people without the consent of the proprietors or renters of the farms.

99. Neither the master cattle keeper nor the other keepers shall be at liberty to remove or sell any animal of the farm, without having, in writing, the consent of the proprietor or renter, and without a permit on stamped paper from the

officer of the Rural Police of the Section, who shall be bound to register the permit with the stamp of the animals.

LAW, No. V.

ON THE CARE AND MANAGEMENT OF THE ANIMALS, AND THE DAMAGE THEY MAY DO IN THE FIELDS.

100. Cattle belonging to cultivators shall be kept in herds with those of the proprietor; and the keepers shall be paid their salary, half by the proprietor, and half by the cultivators.

101. It is forbidden to mutilate, maim, or kill beasts of burden, or horned cattle, found in the cultivated land or gardens, having leaped over or forced the fences.

102. It is forbidden likewise to wound or kill sheep found in cultivated gardens, or enclosures.

103. Pigs and goats, found in cultivated gardens and enclosures, may be killed.

104. The animals enumerated in Articles 101 and 102, which may be found in cultivated gardens, shall be conducted, within twenty-four hours after their seizure, before a Justice of Peace, to be sent to the pound of the Commune, if within that time the owner do not withdraw them from the pen of the plantation in the gardens of which they may be found.

105. The officer of the Rural Police shall, within twenty-four hours after a declaration by the parties interested, be bound to draw up a written statement of the damage done by the animals, and send it to the Justice of Peace, unless the due compensation is voluntarily made to the owner of the damaged garden.

106. The officer of the Rural Police shall take care to send the written statement to the Justice of Peace, in due form as above, that the said Justice may decide according to law.

107. The keepers who shall have suffered the animals mentioned in Article 27, to escape, when committed to their charge, shall be bound to pay the expenses attending their capture, according to the tariff established by law.

108. Proprietors, renters, or managers of plantations, are expressly forbidden to make use in any manner for themselves of the cattle, taken in their gardens, during the time they shall remain in their pens before being sent to the pound; any violation of this article shall be punished by a fine of from five to fifteen dollars.

109. The seizure of the animals mentioned in Articles 101 and 102, in gardens, when they are conducted to the pound of the Commune, shall be paid for as follows:—For each of the horse kind, one dollar; for each ass, seventy-five cents; for each horned animal, one dollar and a half; and for each ram or sheep, twenty-five cents: one half to belong to the seizer, and one half to the rural guards.

110. When the animals seized in gardens shall be withdrawn from the pen of the plantation, before being sent to the pound, there shall then be paid, and only to the persons who have taken them, half the penalty fixed by the last Article.

111. When an animal seized in a garden, and sent to the pen of the plantation, happens to die by accident, or otherwise, during the short time it remains there, or while passing to the residence of the Justice of the Peace of the Commune, the officer of the Police shall be bound, by witnesses, to ascertain the cause of the death of the animal.

112. When the death of the animal shall have been caused by negligence, want of food, or violence, the proprietor, renter, or manager of the plantation shall pay its value, as estimated by arbitrators named by the Justice of the Peace of the Commune. The sum thus paid, shall be sent to the public administrator of the district, to be paid to the owner, should he appear, or, failing this, into the treasury. In all cases, the damage done by the animal shall be paid for out of these proceeds.

113. When animals seized in gardens, by virtue of Article 104, shall be taken to the Justice of the Peace of the Commune, to be sent to the pound, if the owner consents to pay the damage done, and the expenses of seizure, before they enter the pound, the Justice of the Peace shall acquiesce.

114. Persons conducting herds of cattle from one Commune to another, whether to market, or for agriculture, shall be bound to provide themselves with a permit, stating the kind and number of animals they are conducting, their description and marks.

115 The permits shall be delivered either by the Commandants of Communes, or given by the owners and examined and signed by the Commandant; or upon certificates furnished by the officers of the Rural Police of the Sections from whence the animals come. These permits shall be registered by those who delivered them, and seen and signed by the Commandants of all the Communes through which the herds may pass.

116. The conductors of herds, when met by the Rural Police or the gend'armerie, shall be bound, on demand, to show their permits; and where the number of animals, or their description, shall not agree with the statement in the permit, they may, should any cause of suspicion appear, be arrested, and conducted to the nearest post, with the animals, in order to be brought before the Justice of the Peace of the Commune.

117. If the parties brought before the Justice of the Peace, cannot prove their right of property in the animals for which there is no permit, and if they cannot give good security for their bringing back the proof of property within a time to be allowed them, not exceeding fifteen days, they shall be sent to prison, and the animals to the pound.

118. Within a month from the day of the arrest, the Justice of the Peace shall be bound to write to the Justice of the Commune from which the person imprisoned may have come, or to the officer of the Rural Police of the section, (if in the same Commune,) to obtain information both about the person and the animals stopped: which information, on being received, shall be forwarded to the public administrator, with the written statement of the Justice of the Peace, to be used as the ground of charge against the suspected person should cause appear for prosecuting him.

LAW, No. VI.

CONCERNING THE RURAL POLICE.

TITLE FIRST.

General Regulations.

119. The Rural Police embraces all which belongs to the management and the prosperity of rural property.

120. The Rural Police is conducted under the superintendence of the Commandants of Departments, and of the Commandants of Communes, by officers of Rural Police placed in the Sections of each Commune; by the rural guards, by the gend'armerie, and, at need, by detachments of troops of the line.

121. The Justices of the Peace exercise also the Rural Police in the cases pointed out by law.

122. The Councils of Notables of the Communes, and the Councils of Agriculture, are to assist, at need, all the authorities in perfectly maintaining the superintendence of the Agricultural Police.

TITLE SECOND.

Of the Superintendence.

CHAPTER I.

Of the high superintendence of the Commandants of Departments.

123. The Military Commandant of the Department having the general superintendence of the agriculture of the Department intrusted to him, unites the authority necessary for giving activity to agriculture, and is responsible, 1st, for the decay of cultivation within the extent of his command; 2d, for the execution of the whole or part of the Rural Code within the extent of his Department; 3d, for the negligence of the Commandants of Communes under his orders, relative to the superintendence of agriculture in the Communes confined to them, provided he shall not have checked that negligence.

124. The Commandant of the Department is bound to make, once in every year, a circuit through all the rural Sections of the different Communes composing the department, in order to satisfy himself personally of the execution of the laws, of the progress and state of industry, and make a detailed report upon the subject to the President of Haïti.

125. This annual report, which must be made by the Commandants of Departments to the President, shall state the number of plantations kept up in every Section, their kind of cultivation, their improvement, or their decay, together with the condition of the roads and ways, both public and private.

CHAPTER II.

Of the Superintendence of the Commandants of Places and Communes.

126. The Commandant of the Place or the Commune has the cultivation of the Commune intrusted to him. If he has under his orders cantons or parishes which form military posts, the Commandants of those posts have the particular oversight of the cultivation of the district subject to their command.

127. The Commandant of the Commune is responsible for the decrease of cultivation within the sphere of his command, if it proceeds from the neglect of any branch of the public service.

128. The Commandants of Places and Communes are

bound to make, three times in the year, the circuit of the different Sections under their command.

129. The Commandant of the Commune, in his circuits, shall visit the gardens of produce and provisions, the fences, and the new plantations. He shall enter into all the details pointed out by the Rural Code, ascertaining whether the officer of the Rural Police of the Section has fulfilled all the duties imposed upon him by the law. He shall repress whatever acts of negligence and irregularity he shall observe ; and of the whole, an account shall be drawn up in the prescribed form, for each Section ; a duplicate of which shall be sent to the Commandant of the Department.

CHAPTER III.

Of the Rural Sections, of the Officers of the Rural Police, of the Rural Guards, and of the Managers and Conductors of Plantations.

SECT. 1.—*Of the Rural Sections.*

130. The Commune shall, by an express regulation of the President of Haïti for each Military Department, be divided into agricultural Sections, of about four leagues each in the plains, and in the mountains according to the nature of the ground.

131. Each Section shall have its proper name ; and its limits and boundaries shall be fixed.

132. After the Sections are formed, the Commandant of the Commune, the Council of Notables, and one of the private surveyors, shall prepare in triplicate, upon sheets endorsed by the Justice of Peace, schedules of all the rural properties situated in each Section, with the names and designation of the proprietors, the extent of each property, and the kind of tillage carried on there. One of these schedules shall be deposited in the office of the Commandant of the Commune, one with the Council of Notables, and the other in the hands of the officer of the Rural Police of the Section.

133. The Council of Notables shall furnish to the Justice of Peace of the Commune a collated copy of the schedule deposited with them. The Commandant of the Commune shall furnish to the Commandant of the Department, a copy of the same schedule deposited in his office. The Commandant of the Department, after having connected the schedules of the plantations of all the Sections of the Commune forming his Department, shall draw up a catalogue of the whole, a certified copy of which he shall address to the President of Haïti.

134. The officer of the Rural Police shall give notice to the Commandant of the Commune, of every change of property of a rural estate situated in the Section, and of every change of cultivation, who shall note it in the roll deposited in his office, and shall give notice of it to the Commandant of the Department, who shall likewise inscribe the change on the roll in his hands, and inform the Government of it.

135. The Council of Agriculture of the Section shall give the same notice to the Council of Notables of the Commune; and the Council of Notables, after having noted it, shall inform the Justice of Peace, who shall cause the change to be inscribed on the copy of the roll in his office.

136. Every year, between the first and fifteenth of February, the officers of the Rural Police of each Section, shall receive from the agents for the financial department of their Commune, a certain number of stamped lists of population in blank; which they shall be bound to furnish to the proprietor, renter, or manager of each plantation of the Section, before the end of the month; receiving the price of the stamp, which shall be paid over to the agent. This assessment shall be made as follows:—The stamped list of population for an estate containing ten carreaux of land, shall be twelve and a half cents; for those having eleven to twenty-one carreaux, twenty-five cents; for twenty-one carreaux and upwards, fifty cents.

137. The proprietors, renters, or managers of plantations, shall be bound to return the plantation list filled up in the manner there pointed out, to the officer of the Rural Police, at the latest on the 20th of March following, under penalty of a fine of fifteen to fifty dollars for each neglect.

138. The officer of the Rural Police of each Section shall be bound, on the 5th of April at the latest, to send in all the population lists of his Section, or to note the names of the defaulters, to the Council of Notables of each Commune, under penalty of suffering himself the fine imposed by the preceding Article.

139. On the first of May every year, the Councils of Notables of every Commune shall address to the Government the original population lists which they have received, in virtue of the preceding Article.

SECT. 2.—*Of the officers of Rural Police, and of the Rural Guards.*

140. In every Rural Section, a military officer of subaltern rank (from sub-lieutenant to captain) chosen by the Presi-

dent of Haïti, shall be stationed, who shall be charged with the superintendence of the Section, and its Police.

141. The officers of the Rural Police of the different Sections shall be independent of each other, and shall have no relation except with the Commandants of the Commune and of the Department, under whose order they were placed: they shall correspond moreover with the civil authorities, and shall pay deference to their requisitions.

142. The dwelling of the officer of the Rural Police shall be fixed in the centre of his Section, and near the public road which traverses it.

143. The officer of the Rural Police is especially charged to cause agriculture to prosper in the Section confided to him, and to cause the law and property to be there respected. He is responsible, in the extent of his Section, 1. for the due execution of the Rural Code in what is within his Province, as well as all other acts of the Government relative to the agriculture, or the Rural Police. 2. For every neglect in the superintendence of and manual labor of the plantations of the Section. 3. For all vagrancies, disorders, and breaches of Police in the Section, when he has not repressed them, or reported them to the civil authority. He shall take an oath before the Commandant of the District, previous to his entering on the duties of his office.

144. The officer of the Rural Police shall have under his orders, at a fixed station, three rural guards, one of whom shall be of the rank of quartermaster, and perform the functions of secretary; one of the rank of *brigadier*; and the other a simple dragoon. These rural guards shall be sworn; the oath shall be taken before the Commandant of the Department.

145. The officer of the Rural Police shall be bound to make the circuit of his Section, and visit each plantation in it once a week.

146. The officer of the Rural Police shall be ready to attend to the calls of the proprietors, renters, or managers of plantations, by day and by night, or to send rural guards there to enforce the law, and to maintain order.

147. One of the rural guards shall repeat every week, on each plantation of the Section, the visit of the officer of the Rural Police, so that the plantations shall be visited at the least calculation twice every week.

148. When the officers of the Rural Police, or the rural guards, in their ordinary rounds, shall arrive upon a plantation, they shall address themselves first to the proprietor, if

present, or in his absence, to the chief renter, or to the manager, and shall inquire if every thing is in order: after this formality, they shall set themselves to inspect the labours, to satisfy themselves that these proceed properly; they shall also see whether all the laborers are at work; and they shall inquire the causes of the absence of such as are not at work, and shall act according to law.

149. When an officer of the Rural Police of the Section, is prevented by any lawful cause from making the circuit and visit required by articles 145 and 146, he shall be bound to give notice thereof to the Commandant of the Commune, who shall replace him by an officer of the gend'armerie, or of the troops of the line quartered in the Commune, while the impediment lasts.

150. The officer of the Rural Police, who, without lawful hinderance, shall neglect to make the rounds and visits required by the articles 145 and 146, shall suffer a punishment, to be inflicted by the Commandant of the Commune; and in case of his repeating the neglect, he shall be reported to the Commandant of the Department, who shall be bound to bring him to the notice of the President of Haïti.

151. Every Sunday morning, the officer of the Rural Police shall be bound to present himself in person, or send one of his rural guards, with a written report, to the Commandant of the Commune, to inform him of whatever remarkable may have occurred in his section.

152. The officer of the Rural Police, and the rural guards, shall receive their pay and allowances, according to their ranks, whenever the troops of the line in actual service shall be paid.

153. The State shall supply to the rural guards arms, accoutrements, and clothing, as to the troops of the line.

154. The uniform of the officer of the Rural Police, shall be a green coat, with flaps turned back, collar, cuffs, and facings red, white lining, white buttons half arched, with a cornucopia surrounded by the cap of liberty, and for a legend, *re-publique d'Haïti*, and a cocked hat. They shall also bear in silver the epaulettes and fringes of their ranks, wear white waistcoats and pantaloons, and horsemen's boots. That of the rural guards shall be a jacket of the same colour and make as the officers of the Rural Police, with the marks of their ranks in lace of silver or white worsted, and plated helmets. The arms shall be the dragoon sabre, cartouche-box, and blunderbuss; they shall wear a red shoulder belt from right to left, with "*force de la loi*," written upon it in blue letters.

SECT. 3.—*Of Managers and Conductors of Plantations.*

155. Upon every plantation where the proprietor is not resident, and where there is no chief renter resident, there shall be a manager appointed by the proprietor or chief renter.

156. The proprietor or chief renter, after having chosen such manager as he pleases, shall enter into a mutual contract with him, before a notary, the terms being such as the parties may agree upon : after which the manager shall be made known to the officer of the Rural Police of the section.

157. Every proprietor, or chief renter of a rural property in cultivation, not residing upon it, and who shall not have appointed a manager for the property, shall be subject, if the number of cultivators exceed ten, to a fine of from ten to fifty dollars, according to the extent of the property. When the number of laborers does not exceed ten, the management may be intrusted to a conductor.

158. The duties of the manager are to superintend, in the interest of the proprietor who employs him, the laborers of the plantation intrusted to him.

159. The managers of plantations are answerable to the proprietors, or chief renters, for every neglect or abandonment of labor where they are employed. They shall in such case be prosecuted by the parties entitled.

160. The manager shall have the respect of all the laborers of the estate where he is employed.

161. Upon an estate where the fields or gardens are divided among associations working for half, or among sub-tenants, each headman of such association, and each sub-tenant, becomes the conductor of his own working party, or of his association. He is answerable for the labor of his associates.

162. The duties of the conductors are to cause the work to be done, by the laboring parties intrusted to them, under the direction of the proprietor, chief renter, or manager.

163. The conductors shall be answerable for all neglect of work ; for all absence, without lawful authority, of the laborers ; and for all disorders and vagrancies of the laborers ; when they shall not have reported the same to the competent authorities.

164. The conductors shall be paid from the proceeds of the produce raised by the laborers they direct, according to article 57, of law No 2

CHAPTER IV.

Of the Council of Agriculture in the Rural Sections.

165. On the first of May in every year, being the day of the Festival of Agriculture, the Commandant of each Commune, the Justice of Peace, and the Council of Notables, shall conjointly select from each Rural Section, three of the most respectable citizens, being proprietors, chief renters, or managers to form the Council of Agriculture of the Section.

166. The selection of the members of the Council of Agriculture shall be immediately communicated, by the Commandant of the Commune, to the Commandant of the Department, who shall communicate it to the Government.

167. The members of the Council of Agriculture shall be in office for one year only ; but they may be re-elected each year, if they have shown zeal in the execution of their duties during the former year.

168. The Council of Agriculture being composed of persons cultivating the soil, and interested in the perservation of good order in the rural administration, each of the members is bound, without essentially deranging his own affairs, to inquire into all that passes in his Section, in order to report to the Council of Notables.

169. The business of the Councils of Agriculture is, 1. To see that the laws relating to cultivation, are not infringed in their execution. 2. To endeavor, by new experiments, and by maintaining concord among all those interested in cultivation, to increase progressively its results. 3. To communicate to the Council of Notables, and to the military authorities, every abuse or neglect, which may occur in the Section which they inhabit.

170. The members of the Council of Agriculture are to correspond, individually or collectively, with the functionaries or authorities with whom they are required to have relations.

171. The office of a member of the Council of Agriculture is honorary.

TITLE THIRD.

Of the Rural Police.

172. The Rural Police is to be specially administered by the officers charged with the rural Sections of the Communes, assisted by rural guards.

173. The Rural Police has for its objects, 1. To repress vagrancy. 2. Order and assiduity in the labors of the field. 3. The discipline of the laboring population. 4. The making and repairing public and private roads.

CHAPTER I.

Of the Repression of Vagrancy.

174. All persons who shall not be proprietors or renters of the land on which they are fixed, or who shall not have contracted with some proprietor or chief renter, shall be reputed vagrants, and shall be arrested by the Rural Police of the Section in which they may be found, and carried before the Justice of Peace of the Commune.

175. The Justice of Peace, after interrogating and hearing the person brought before him, shall make known the law which obliges him to employ himself in agricultural labor; and after that notice, he shall detain him in prison, until he shall have contracted according to the terms of the law.

176. The Justice of Peace shall take care the person arrested shall make his own choice of the proprietor, or chief renter, or sub-tenant, or headman of an association, with whom he may contract.

177. If after eight days' detention, the detained has not taken measures for engaging in agricultural employment, he shall be sent to the public works, for cleaning the city or town where the prison is situated, and there he shall be employed until he determines to contract to engage in rural labor. Any person who withdraws any of these detained persons from the public works, to employ them in private work, shall be subject to a fine of fifty dollars, of which a moiety shall be paid to the detained person complaining.

178. If the person arrested be a minor, the Justice of Peace shall inquire for his parents, and send him to join them, to follow their condition of life.

179. After three months from the publication of this Code, rigor shall be employed against delinquents.

180. Every person fixed in the country as a cultivator, who shall on a working day, and during the hours of labor, be found unemployed, or running about, or lounging on the public roads, shall be considered as idle, and shall in consequence be arrested and taken before the Justice of Peace, who shall send him to prison for twenty-four hours, for the first offence; and shall send him to public labor in the town on a repetition of it.

181. The officers of the Rural Police, shall take care that vagrants and idlers do not conceal themselves under the garb of soldiers of the different corps. When they discover, in the Sections under their superintendence, men whom they do not personally know to be in active service in the corps

whose uniform they wear, they shall arrest them, and send them to the military commandant of the commune, to ascertain if the individual arrested with the uniform of a corps really belongs to it. If the party prove not to be a soldier, he shall be put in prison, according to Article 175, until he enter into a contract to labor in agriculture.

182. The officers of the Rural Police shall take care that in the respective Sections under their command, no person shall live in idleness. To this end, they have the authority to oblige such persons as are employed in labor, to give account of the nature of their occupations; and if they cannot prove that they cultivate the soil, or are employed on breeding farms, according to the Law No. IV., they shall be considered as without a living, and shall be arrested as vagrants.

CHAPTER II.

Of order and assiduity in Rural Labor.

183. The labors of the field shall commence on Monday morning, not to cease until Friday evening, (legal holydays excepted). But in extraordinary cases, when the interest of the cultivators as well as of the proprietors requires it, work shall be continued until Saturday.

184. On working-days, the ordinary labor of the field shall commence at day-dawn, and continue until mid-day, with the interval of half an hour for breakfast, which shall be taken on the spot where they are at work. In the afternoon, the labor shall commence at two o'clock, to continue until sunset.

185. Pregnant females shall be employed on light work only, and after the fourth month of pregnancy, they shall not be liable to work in the field.

186. Four months after delivery, they shall be bound to resume labor; but they shall not be at work until one hour after sunrise, to quit it at eleven o'clock, and from two o'clock until one hour before sunset.

187. No cultivator fixed on a rural property, shall absent himself from the labor assigned him, without the permission of the manager, in the absence of the proprietor or chief renter, who shall not give this permission unless the case be urgent.

CHAPTER III.

Of the discipline of the laborers.

188. The laborers upon rural properties shall be obedient to the conductors of the works, to the headmen of associa-

tions, to the sub-tenants, chief renters, proprietors, and managers, whenever they are called upon to execute the labors for which they have contracted.

189. Every act of disobedience or insult, on the part of a workman, commanded to do any work which he has engaged to do by a reciprocal contract or agreement, shall be punished by imprisonment, according to the exigency of the case, and according to the decision of the Justice of Peace of the Commune.

190. Saturdays, Sundays, and Holydays, being at the disposal of the cultivators, they shall not be permitted, on working days, to quit their work, to indulge in dancing or feasting, neither by night nor by day. Offenders against this rule, shall be subject to three days' imprisonment for the first offence, and to six days for a repetition of it.

CHAPTER IV.

On the making and repairing Public Roads.

191. The public roads shall be kept up and repaired by the laborers, in turn, of the whole Section they pass through, whenever their state of injury may require repair. The private roads shall in like manner be kept in order by the cultivators of the estates of the Section, who are in the habit of using them.

192. Whenever a public or private road needs repair, the officer of the Rural Police shall give notice of it to the Commandant of the Commune.

193. If the repairs are of small importance, the Commandant of the Commune shall order them to be done. But if they require many hands, he shall give notice of it to the Commandant of the Department, that it may be promptly accelerated. The Council of Agriculture of the Section shall inform the Council of Notables of the work which is to be done.

194. The number of laborers necessary for any particular repair, shall be taken from the plantation rolls mentioned in article 132, in proportion to the laboring population of each, which is bound to assist in the work.

195. Those proprietors who have not four laborers attached to their estate, shall, in no case, furnish more than one laborer for the repairs of roads.

196. Every cultivator ordered to work in repairing the roads, who shall not come to that work, shall pay a fine of six quarter dollars a week, or be imprisoned for one week, and this shall not exempt him from working the week following.

197. Every proprietor, or chief renter of a plantation, who having received a demand for laborers, shall not furnish them, shall be liable to a fine of three dollars for each laborer not furnished; half the fine to be paid to the chest of fines, and half to be employed in replacing the laborers.

198. Laborers called out to repair the roads, shall bring the tools and agricultural instruments used on the plantation, otherwise the officer of the Rural Police shall furnish them with tools with which he is to be supplied by the administration, and upon the report of it being made to the Justice of Peace of the Commune, he shall sentence the proprietor of the plantation to which the defaulters may belong, or his representative, to reimburse to the administration double the value of the tools furnished.

199. When means of transport are wanted for the repair of public or private roads, the estates having wains or carts shall send them; in default of wains or carts, cattle shall be supplied.

200. The supply of eight beasts of burden, shall be equal to one cart with its team.

201. No person shall, for his private interest, take from the repair of the roads, those who are sent to work upon them. Every one contravening this order shall pay fifty dollars for each laborer so withdrawn, even for one day. The director of the work shall call over the laborers every morning, to ascertain their presence.

202. The laborers ordered on the public roads, shall present themselves on Monday morning, and not to quit while the work shall last, until Friday evening.

Passed in the Chamber of Commons, at Port au-Prince, on the 21st of April, 1826, 23d year of Independence.

MAZAINÉ, President of the Chamber.
PRÉ. JENCA, and ARDOUIN, Secretaries.

The Senate decrees the acceptance of the Rural Code of Haïti, which shall be sent, within twenty-four hours, to the President of Haïti, to have his execution, in the manner fixed by the Constitution. At the National House at Port-au-Prince, this 4th of May, 1826, 23d year of Independence.

P. ROUANÉZ, President of the Senate,
GAYOT, and F. DUBREUIL, Secretaries.

In the name of the Republic.

The President of Haïti orders, that the above Laws constituting the Rural Code of Haïti be sealed with the Seal of the Republic, and be published and executed.

Given at the National Palace of Port-au-Prince, this 6th of May, 1826, 23d year of Independence.

BOYER.

By the President, B. INGINAC, Secretary-General.

LETTERS ON HAÏTI.

The Letters which follow are from the Working Man's Advocate, the Editor of which paper introduces the first of them by saying—"The following letter from an intelligent and philanthropic southern gentleman (though a large slaveholder) now travelling in Haïti, will doubtless convey much information to our readers respecting the present political condition and natural advantages of that interesting Island. The statements of the writer may be implicitly relied on."

LETTER I.

Puerto de Plata, Haiti, 13th Sept., 1835.

MR. GEORGE H. EVANS :

DEAR SIR—When I left New York, about a month ago, with the intention of spending the hot season of summer under the cool shade of the plantain and royal palm-trees, fanned by the sea breezes of the healthy and temperate climate of Haïti, I promised to convey to you, as soon and as intelligibly as I could, a true description of what I saw in my progress through this Island of Liberty, which, although hardly two weeks' sail from New York, must become of great political importance, but is now quite unknown even by name, to nine-tenths of our New York citizens.

On the 3d inst., being nearly 20° N. lat. we made the Island of Haïti. It resembled the Catskill mountains, only more extended. On the 4th we sailed into a harbour on its N. side,

called Puerto de Plata, where we found American and foreign shipping anchored before a pretty, scattered-looking small town of one-story houses, something about the size of St. Augustine. We landed soon after, amidst logs of Mahogany, in which, and tobacco in bales, most of its export consists. The poor appearance of the town was amply compensated for by the rich verdure of the waving cocoa-nut and majestic palm-trees, growing on the gently rising plain which lies between the town and the mountain, (called Torre de Isabella,) majestically rising behind it, to the height of three thousand feet, and richly covered with trees to the top.

This afternoon and next day, I was occupied in walking about town, and gardens in its vicinity, and in cultivating the acquaintance of its inhabitants, who received me as a white stranger, with great civility as well as hospitality. They consisted of white and black, (the latter predominated,) speaking Spanish, French, and English, as languages common to all, the Spanish rather the most, and the white part of the population very much resembled the Minorcian population of St. Augustine. The beautiful and rich plain on which the town is built, of two miles in extent and gradually rising to the foot of the mountain of La Torre, contains first the towns and gardens, and then some small farms, cultivated with sugar cane, coffee, oranges, mangoes, corn, yams, potatoes, cassava, and all kinds of fancy produce, to suit the market and for the supply of the town. The low lands between the sea and the mountains, extend to the east and to the west as far as the eye can reach; and if the soil is a fair sample of the soil of the island, which, from all that I can hear, is probable, there is nothing that I have ever seen in any country, not even the low lands of the Mississippi, nor the alluvial deposits of Guiana in South America, equal to it in fertility. The sugar cane grows to a prodigious size, and lasts for twenty years without replanting. The plantain, as food for man, is the richest of nature's gifts, and also perpetuates itself, with little attention, for an equal period of time without replanting. Groves of cocoa-nut and royal palm-trees, the most magnificent of nature's productions, shade the ground with their waving tops, and furnish food for countless numbers of wild hogs, cattle, &c., wild guinea fowls are also very abundant. 6th September, being Sunday, I this morning went to hear mass performed in a very large church of one story, which safe mode of building, I presume, is on account of earthquakes that sometimes happen here. The audience was large and most respectable, the female part especially was devout, and

would bear comparison, in point of good looks or dress, with any of our white congregations in New York. In the evening I went to hear an old style Methodist sermon, by an English missionary, where most of our poor American colored emigrants were assembled, to hear themselves denounced as fit subjects for a very necessary personage, now dormant in fashionable life; but all went off well: we had no *mob*.

13th. I have now been here ten days, and have closely examined the country on horseback, for twelve leagues of coast and three leagues inland, to the summit ridges, where they cut mahogany; no sentry has ever hailed me; no officer of police has ever inquired into my business, or what I wanted. I brought no letter of introduction: whichever way I travelled, I have been treated with hospitality and attention, and all possible kindness rendered to me voluntarily, and without reward. I have had a hearty welcome every where, abundance to eat, and a place to hang my hammock at night, from black and poor colored people, who live isolated, upon small farms of one family, scattered within the rich, uncut forests of Haïti, where their living in simple abundance and with little labor does not detract from their natural kindness of heart, which sustains their practical moral merit of character; for notwithstanding our fashionable propensity for vilifying the merit of color, no one has ever cited one solitary instance of a breach of honesty, or honorable hospitality to any white man or other person. A single unarmed footman is the only conveyance of money remittances from here to Port-au-Prince, a distance of nearly one hundred leagues, mostly through solitary woods; but no instance is recorded of either robbery, murder, or insult. Further comment upon natural kindness of heart is needless. I have not heard of any other instance similar in any country, or under any government—here every appearance indicates perfect freedom and equality without law or restraint; yet no one trespasses upon the strictest laws of decorum and politeness.

Many of our pseudo republicans openly abuse Haïti, its people and government; but here they read our newspapers, and daily accounts of mobs, and persecution of color, without any symptom of resentment or anger against the citizens of those very countries where their color is outlawed, and who enjoy every protection, both of person and property, in Haïti. Although many families here are white in all their relations, I have never seen nor heard of any slight or symptom of *natural* prejudice against color: indeed, as a white man, I feel

ashamed to receive such kindness and hospitality from the very people, whom public prejudice, or rather fashion or jealousy, in New York, would exclude from obtaining necessary refreshment at an inn, or from travelling in any public conveyance or vehicle, or even to walk the streets but as outlawed miscreants. The state of society here proves very clearly to me, that our main argument to excuse our persecution of color, (natural prejudice of caste,) if unsupported by law, soon melts, and is dissolved by our moral relations, if let alone, like any other legal privilege. Privileged grades of society are necessary to the existence of a regal aristocracy, or of a popular democracy or oligarchy: annul the privileges and these governments become republican, or of equal laws. This government of Haïti approaches nearer to pure republicanism than any other, now in use or on record. Although the aggregate population of this island may approach towards a million of people, yet it is hardly possible to find a servant to hire, which is easy to account for from the circumstance that every colored person of good character is a citizen from the moment of his arrival, and upon application to the Commandant, can have as much good land, gratis, from government, as he thinks he can cultivate; therefore no one will hire, and the quantity of population and small farms of one family each, is fast increasing. To gain information where every thing is new, I have reposed but little in the shade since my arrival, but the air is delightfully cool every night and morning, and during the day, while travelling, I have suffered but little from heat, as our roads lay through lofty thick woods, the shade of which completely excluded the solar rays. We generally have had a refreshing shower every day, and I feel my health much improved since my arrival from New York, nor can I hear of a single instance of sickness any where, although this is called the sickly season; and if I can judge from the number of children playing about in the streets and houses, the population must be increasing very rapidly. In a few days I propose continuing my journey west, towards Cape Haïtien, formerly Cape François, and will, from thence, communicate what may seem new.

I remain, &c.

LETTER II.

Cape Haïtien, 29th Sept. 1835.

MR. GEORGE H. EVANS :

DEAR SIR,—In my last letter from Puerto de Plata, I endeavored to give you a short description of that place and its vicinity. Since that time I have rode on horseback, in company with one person and a guide, to this place, where I now am in good health, a distance of two hundred miles or more, chiefly within a few miles of the coast, through an uninterrupted scenery of the most romantic order, sometimes over level and very extensive prairie pasturages, well peopled with the finest cattle I ever saw, mixed here and there with flocks of sheep and goats, and every where abounding with wild guinea fowls ; at other times we crossed clear and rapid streams of water, coming from between the mountains, situated a few miles further in the interior, and of a height seldom less than one, or more than three thousand feet, and thickly wooded to the top. This space between the sea and the mountains, of about two or three leagues wide, is a rich alluvial valley, gradually rising from the sea to the foot of the mountains, which are also very fertile and well wooded, and lay convenient for cultivation. This valley of level land is interrupted in two places by mountainous ridges, which extend down to the sea, one immediately below Puerto de Plata, the other at Point Isabellique. In most places the luxuriant growth of timber was thickly interspersed with the elegant royal palm, and covered a deep soil of incomparable richness and fertility, mostly convenient to water power for machinery. That part of the island formerly Spanish, terminates at a flourishing and romantic little town, called Laxavon, which is watered by the river Massacre. This river formed the boundary line between the former Spanish and French possessions of St. Domingo ; it falls into the sea a small distance east of Fort Dauphin, now Fort Libertié, which lies fifteen miles to the S. W., and is a very extensive well laid out town, conveniently watered by a clear river, which flows partly around it. The houses are elegantly built of stone and covered with French tiles ; many of them, however, have been taken down and removed to furnish materials for other buildings. Its harbor is excellent, and superior, I believe, to any other on the whole island. Here begins the famous Plain of the Cape, 36 miles distant, through which its wide, level, and well laid out road, bordered with high, shady log-wood hedges, still exists : in some parts it passed over pasturage or

prairie lands, but generally, the massy remains of extensive stone buildings indicated the value of the soil of its former sugar plantations now mostly grown up with woods. Many old plantations are still more or less under the cultivation of sugar, but the extreme scarcity of hands to hire, renders the extensive cultivation of that staple at present impracticable.

Passing through the very rich and extensive alluvial plantations of the Grand Riviere, we arrived at Cape Haïtien, about nine miles distant from it. This city (formerly Cape Français) is built on a level plain, just under a romantic mountain, of perhaps 2000 feet high. The great extent and magnificent remains of elegant and extensive stone buildings indicate its former wealth, founded upon the richness and extent of its soil, when it stood the peerless Mistress of American opulence. It seems now recovering a little of its importance, which will no doubt keep pace with the present increase of population and cultivation throughout the island.

Excepting Saturdays and Sundays, the great market days, when all is alive with well-dressed good-looking people, few persons are to be seen in the streets. This is owing to the great scarcity of domestic servants, who can employ themselves more profitably upon their own lands, liberally bestowed by government, whose policy it is to discourage all negative and unproductive occupations.

I will now close this letter by a few observations upon the people inhabiting the country between Puerto de Plata and Cape Haïtien, their complexion, moral habits, &c. In that part formerly Spanish, that language is still retained, though the French is generally understood, and must soon predominate, as the law requires that all records and public documents shall be kept in French. A great tendency to white is also observable in the complexions of the people, which seem to be changing very fast by intermixture with color. Soon after crossing the river Massacre, the French language predominates, or rather the Creole, for both are spoken and generally understood. The complexions of the inhabitants, too, are generally darker, indicating a greater predominancy of African blood, but no general color can be said to characterize any section. The extremes of white and black, when divested of all legal preference as in Haïti, are more commonly found in conjugal union than otherwise, and as no distinctive predilection of color has yet manifested itself, the national complexion is continually changing, and must finally depend upon the sources of population from whence the color is derived.

I found no tavern or public house on the whole road—we lodged wherever circumstances rendered it most convenient to stop. Every where we found gratuitous hospitality and welcome, with an abundant supply of wholesome provisions, such as pork, fowls, honey, corn, cassava bread, and delicious plantains and fruit. The lonesome and romantic woods were interspersed with small farms of one family each, all living in careless abundance, and full of healthy children. Some of the towns had a more fashionable and military appearance, and it seemed to be a general custom of every Commandant to assume the prerogative right of offering hospitality to strangers, and where we met, not only a friendly welcome, but genteel and fashionable accommodations. No tale of robbery or personal insult could be heard of. The houses of these farms are of the most simple construction, with posts of durable wood set in the ground, and wattled or enclosed with palm-tree clapboards, and generally covered with the same; they were mostly open, so as to allow a free circulation of the cool breezes of this healthy climate. I neither have seen nor heard of one instance of sickness as yet, nor any kind of indisposition, in my whole route. They appear to be a healthy and good-looking people, and in the towns, fashionable, with many women of excellent beauty. I could discover no prejudice of caste, although whites seemed rather to be treated with most deference, which I imputed either to their being considered as more helpless, or their being supposed to have the most money; but all seemed to mix together equally in society, which was regulated by the conditions of the individuals only.

My next communication will probably be dated from Port-au-Prince, and will contain such new matter as may grow out of further observation.

I remain, very respectfully, &c.

LETTER III.

Port-au-Prince, Oct. 12th, 1835.

MR. GEORGE H. EVANS:

My last letter was from Cape Haïtien, which we left on horseback for Gonaïves, a distance of about 65 miles to the westward, with one colored attendant. The first part of our way was up the beautiful vale of the cape and river Salee, through ruins of extensive mason work, and old plantations, now but little cultivated. The road led towards the conspicuous and elevated palace and village of Sans Soucie,

situated near the top of a well-cultivated mountain on our left. After leaving this plain, and ascending a moderate elevation, we came in sight of the fine plain and harbor of Limbé, into which a beautiful river of the same name falls, up the valley of the south branch of which, with many crossings, we ascended to the small and romantic valley of Cape Coc, surrounded by richly wooded hills; here we were hospitably entertained for the night: early next morning we continued our route up this romantic valley, thickly settled with small coffee farms of one family each to its top; there we had a very interesting view of the happy vale from which we had just ascended; then crossing this height of land, and descending a few miles west-erly, to the other or main branch of the Limbé river, upon which is situated the lively village of Plaisance, whose healthy and elevated situation, with its fertile fields and well-stored gardens of fruit and vegetables, afforded an interesting picture of substantial plenty amid tropical ease and fecundity. Leaving this valley of the river, we ascended another elevation, to the height of land at the escalero or ladder, down which we descended through a grand chasm composed of perpendicular layers of limestone rock fringed with calcareous crystals, many hundred feet in height, at the foot of which we had a view of the river and very extensive plain of the Gonaives, which lay before us. The town is about six leagues distant from this place, on our way to which, we again saw many massy remains of cotton and sugar plantations, whose costly mason work indicated the intrinsic value of the soil for the cultivation of which they had been erected.

We arrived at the town of Gonaives about 4 o'clock, P. M. It is still important, and derives some benefit from its salt pond. The fine mahogany, floated down the great river of Artibonite, lying a few miles to the southward, loads a great many vessels, and contributes also to its prosperity.

The small coaster in which we were crowded, for two days and three nights, on our passage from Gonaives to Port-au-Prince, along with a good many Haïtien passengers of different shades and sexes, but all upon an equal footing, affording a good opportunity for displaying the manners and estimating the degree of civilization attained by this new people, of whom the female part seemed perfectly at their ease, and full of laughter and good humor. The male part was more musical, and often, in the intervals between stories of wars and battles, in which they had had an opportunity

of showing their prowess, (for all the Haïtiens are soldiers) exercised their fine voices in singing favorite airs in good taste, and some national songs with great melody and effect. I heard nothing like vulgarity or abusive language amongst them

On the 11th Oct., we landed at Port-au-Prince, which being the Seat of Government, is considered the capital of Haïti, and being Sunday, their great market and parade day, made it a novel sight for a stranger from the American States. The superabundant variety of provisions of every description for the supply of the ensuing week, brought in profusion by great numbers of small craft, and innumerable horse and jackass loads of all kinds of tropical fruit and country produce, chiefly conducted by women, mixed with some good-looking men, all of whom were colored, whose dark and robust arms, contrasted with their clean and snow-white clothes; the females, all full of gayety and good health, gave no unfavorable idea of the happy circumstances and substantial prosperity of this agricultural community. I will take this opportunity to say, that I have never before, in any country, seen such general indications of personal cleanliness and taste in dress, as I have observed among these Haïtien women, amongst whom, the eastern customs of ablution, handed down from their African ancestors, are religiously observed; nor do I think that there is any civilized country now known to us, where substantial freedom and happiness, unalloyed by licentiousness, or any dread of injury to person or property, are enjoyed to the same extent as in Haïti; for, whether you reside in the towns, or travel alone through the country or over the mountains, by night or by day: whether you are armed or unarmed, white or black, on foot or on horseback, loaded with doubloons or with sour oranges, you are equally safe from injury. I can hear of no instance of exception. I must now have travelled by land more than 300 miles through the interior, and mostly in company with a genteel dressed man of color; and I naturally expected that a white person, and especially a stranger from the United States, would experience, from the lower order of people at least, who were all colored or black, and living under a colored government, some small slight or sign of neglect, or have his feelings in some way insulted by their resentment, for I naturally felt conscious of the persecution and open war now carrying on against them in the United States, which I had just left; but I must confess that I felt humbled and ashamed at the undeserved respect and

deference with which I, as a white man, was every where treated and received.

Oct. 17.—This day I had a long and familiar interview with President Boyer, who is a very intelligent and sensible man, and I think of great integrity and patriotism. He is of the middle size and rather dark complexion, his manners are easy and polite; many of his generals and military officers were near his person, and, being Sunday, seven regiments of regular troops, besides some cavalry, with fine music, were reviewed on a very extensive and even parade ground behind the Government House; this is a part of 33 regiments of regular infantry and one regiment of cavalry, besides 4 regiments of artillery, &c., all paid by government, now composing the standing army of this island; but while we admire the officers, men, their clothing, arms, and discipline, &c., all excellent in a military point of view, we cannot help regretting the cause of this display of military pomp and expense in a time of peace, caused, it is said, by the fear of enemies from without: but as this danger seems gradually subsiding, while the agricultural capital and population of the island are rapidly increasing, in a short time it is probable that the standing army, now said to be diminishing, will be reduced to the actual wants and internal circumstances of the government. The navy is small, and consists of a few vessels of war and revenue cutters, merely to assist in the transportation of government stores, and the protection of the revenue. The militia troops are well armed and all mustered in uniform once every three months; they consist of one hundred thousand effective men, but as their muster takes place on Sunday, and in the parishes where they reside, no time is lost by their military parade.

The city of Port-au-Prince has an excellent harbor; it is mostly built of wood, and situated on a regular declivity, having high land aback, whose springs and rivulets supply its numerous fountains with abundance of excellent water; the lowermost fountain, which is built out in the harbor where the water is of sufficient depth, supplies the vessels with water without unloading the casks. Its streets are broad and regularly laid out with side walks, mostly under cover of piazzas, where many well-dressed females sit and enjoy the cool breeze before their numerous shops of various wares, for the supply of customers. There are three large market squares, embellished with fountains, &c., and the streets near the harbor, where the custom-house is, indicates a good deal

of commercial bustle, by the discharging of numerous coasters, and loading and unloading of 15 or 20 foreign square rigged vessels, which usually are seen in port at the same time. I have heard of no late census of the population of Haïti, but the general estimate of inhabitants is about one million,[†] and it certainly is increasing most rapidly. The extraordinary fertility of its soil, fitted for all sorts of produce; the convenient temperature of its climate, which, at the sea side in summer, generally ranges from 80° to 90°, and in the interior between 75° and 85° Fahrenheit; (in winter it is ten degrees lower;) its extreme salubrity, its convenient situation for commerce, both as relates to Europe and to North and South America, together with all the West India Islands; its numerous and spacious ports and harbors, cannot fail, under its present free and well organized government, of bringing it, in a few years, to a state of enviable prosperity; to say that riches would increase its happiness, would be contrary to human experience, for I doubt whether in the known world another example of a country of such extent can be found, where there is so little crime, and so little human suffering as now exists within the Island of Haïti, which exults in freedom and plenty; and it would be flattering to humanity to see it prosper, after sacrificing so many lives, and fighting its way through such extraordinary obstacles, to liberty and independence, which it now temperately enjoys, without abuse or licentiousness.

Oct. 26.—As I have now been travelling in this Island for two months, and studying the theory of its situation, I will, by way of closing my remarks, give you the following abbreviated view of my information.

The Island of Haïti is about 150 leagues in length, from east to west, its north side lies in 20° north latitude, the sea coast generally is low, the soil extremely rich, but rising gradually for several leagues inland, becomes more steep, and terminates in mountains richly wooded to the top. These, by arresting the clouds and rain, give rise to numerous rivers, which, after irrigating those rich plains below, fall into the surrounding ocean. These ridges of mountains are of great extent from east to west: the central ranges being from 5 to 700 feet high, and intersected, lengthwise, by wide valleys of rich land and extensive pasturages between them, watered by large and rapid rivers, convenient for floating down mahogany, and other produce, four of which, especially, after running longitudinally for several hundred miles each,

between those different ranges of mountains, and intersecting the streams of the whole interior fall into the sea at four opposite parts of the Island.

Owing to the great extent of this island, and the want of capital, the price of lands is extremely low, and many superb and costly old plantations, with all their improvements and imperishable buildings of brick and stone, together with their valuable mill streams and water privileges convenient to towns, are to be purchased for a small part of what the improvements alone would cost. No country, perhaps, in the world is so little annoyed with noxious animals or insects; very few flies or musquetoës; very few birds of prey; no wild carnivorous animal bigger than a rat, nor any venormous snake or reptile is to be found upon it.

In short, it is a most salubrious place of residence, and offers every variety of climate, and I can see no imposing circumstances to the immediate developement of the natural power and wealth of Haïti but its want of capital, the introduction of which must depend upon the policy of its government, which, from every appearance, is now fast approaching towards the accomplishment of that object.

LETTER IV.

New York, 13th Nov. 1835.

MR. GEORGE H. EVANS :

DEAR SIR—I here enclose sundry interrogatories put to the President of Haïti, with his answers thereto. I wrote three letters to you from Haïti, one from Puerto de Plate, one from Cape Haïtien, and one from Port-au-Prince, and now, these interrogatories.

I remain, &c.

Translation of a letter from the Secretary General of the Republic of Haïti, to a citizen of the United States, in answer to a letter to his Excellency Jean P. Boyer, President of that Republic, requiring information upon the subject of emigrants from the United States.

SIR—His Excellency, the President of Haïti, orders me to answer the questions contained in two letters, which you addressed to him on the 15th of this month of October, 1835, regarding the introduction into this republic of some, people of African descent, who propose emigrating from the United States of America, where they now inhabit.

On purpose that the answers may reply fully to the questions, I shall, Sir, arrange the translations of those questions in the same order as you have placed them.

1st Ques. For how long a period of time, and upon what conditions, could such emigrants contract with their servants abroad, as mechanics or agricultural laborers in Haïti, so that such contracts may be held legal, and guarantied by the Haïtien Government, after the arrival of the parties in Haïti, and how many working days in each week, and how many working hours each day, would be held legal in said contract?

Ans. To answer your first question, Sir, I refer you to the Law No. 3, page 11, of the Rural Code of Haïti, of which I now send you a copy, and to legalize any contract passed in a foreign country between the emigrant and his servant, it will be sufficient that they appear, upon their arrival in Haïti, before a Justice of Peace, and that they mutually declare that the clauses set forth in the contract have been consented to of their own free will; and that the parties are mutually willing to execute them according to their form and tenor. All legal acts can be executed by virtue of the laws of the Republic.

2d Ques. At what age could hired servants enter into such contracts in their own behalf, and for how many years afterward, and what would be considered as a reasonable compensation or gratuity over and above such services?

Ans. To the second question I answer, that the fixed age of majority is 21 years; or that of emancipation, which are clearly established in our civil code—they give the right to our citizens, or to those who are constitutionally enabled to become such, to contract in their own proper name and behalf, and the article 46 of the Rural Code fixes the duration of the time for which they can contract, whether as agriculturists or mechanics.*

3d Ques. By what authority could children under age be bound, and until what age would such agricultural apprenticeship be binding in Haïti, upon those apprentices, so as to indemnify the emigrants for the passages, losses, &c.?

Ans. To the 3d question I answer, that the fathers and mothers, and, in their absence, the parents in direct line, and in their absence, the guardians or tutors, can contract for such minors, and bind them until the age of majority or 21 years.

4th Ques. Would the government of Haïti be disposed to grant lands to such emigrants near a landing on the coast, where and how much?

Ans. I answer to the 4th question, that since the 1st of

* The extent is 9 years—at 15 years they can contract through the act of their parents or guardians for 9 years, and in the same way children may be bound until 21 years. A note or bond may be taken from the party as a farther security for the fulfilment of such contracts.

May, 1826, the law has put an end to gratuitous commissions of lands which composed a part of the public domain; but that the government of Haïti now rents or causes to be sold, such lands as belong to the State, so that such emigrants as have a right to become Haïtiens, according to article 44 of the Constitution, may either rent or purchase such lands as they wish, whether it be from the Republic, or from the individuals who possess them.

5th Ques. Would any duties of importation be charged by government upon such property belonging to emigrants, as was not for sale, but merely intended for the agricultural or domestic purposes of such emigrants?

Ans. To answer the 5th question, I will say to you, that no duty of importation or entry will be imposed upon the moveable property of emigrants intended for their own use, or for their agricultural pursuits, or for the exercise of their mechanical professions.

6th Ques. Would colored* emigrants be allowed to purchase land and locate themselves any where within the Island of Haïti?

Ans. The question put by the 6th article will be answered by that given to the 4th article. The descendants of African emigrants may locate themselves within the Republic, any where they may judge most suitable to their interests, and may hold real property when, after one year's residence in Haïti, they become citizens of the Republic.

7th Ques. How long a time would emigrants be allowed to go or come as foreigners before they were liable to the duties and constraints of citizens?

Ans. I answer the 7th question, that entrance into the Republic being free, to every one who will submit to the laws, the Africans or their descendants who intend to emigrate may go and come freely, in doing their business, as foreigners, but from the time they may determine to remain within the Republic, they ought to conform themselves to the 14th article of the civil code, for the security of their future rights.

8th Ques. Would government be disposed to grant a license to a foreign vessel to enter or anchor in any bay or harbor on the north side of this island, under the direction of a colored emigrant, for the purpose of examining lands, and choosing a place for settlement?

Ans. In answer to the eighth question, I am ordered to tell you, that instructions will be sent to the military authorities all round the shores, on the northeast side of the Republic, to permit emigrants for Haïti to land, to visit the country and ex-

* The word colored means every person not white.

amine such lands as may appear suitable for their purposes, and to settle upon them, according to the arrangements which they may make with their several proprietors.

9th Ques. Would apprentices, introduced into Haïti as before mentioned, be liable to the same military duties as other free emigrants, who had contracted no obligation of labor before their introduction?—What would be the duties of both? or either?—Could either of them be forced into the regular army without their own consent?

Ans. Finally, sir, to answer your 9th question, I am ordered to tell you, that neither the emigrants nor any person of African descent, whom they may bring along with them to work, whether as mechanics or cultivators, will be in any manner required or held liable to do military duty as regular soldiers of the Republic. With regard to the proprietors, after one year's residence, they will be considered as forming a part of the Militia in the district where they reside. I ought to observe to you that the National Guards, or Militia, is liable to no other service but such as is mentioned in the law, of which I now send you a copy, and which consists in a simple muster every three months, on purpose to inspect the state of the arms, with which every citizen ought to be provided, for the security of his liberties, and to maintain the independence of his country.

Signed

B. INGENAC.

HAÏTI.

We copy the following from the *Christian Statesman*: The editor says, it is from a very intelligent source, and will be interesting to all who desire the prosperity of that island.

WASHINGTON, June 30, 1838.

To the Editor of the *Christian Statesman*:

SIR,—Your being one of the principal members of the African Colonization Society, an institution purely philanthropic, and whose object apparently is to advance the depressed free people of color to a higher grade in the scale of civilization; and as I am a planter in the south, deriving my entire subsistence from slave labor, but having a colored family and children, motives of necessity and self-preservation have induced me to labor for a similar object to yours, in which I have been employed for some time past; therefore, as wisdom is most certainly attained from comparing the facts proved by experiment, I thought that it would be interesting to you and to many of your readers, to be informed of the result of my Colonization experiments, made in the Island of Haïti, the conve-

nient situation of which and its nearness to the place where the emigrants lived, induced me to give it a preference. A full account of these experiments follows, and their importance may excuse the length of this communication.

About eighteen months ago, I carried out my son, George Kingsley, a healthy colored man of uncorrupted morals, about thirty years of age, tolerably well educated, of very industrious habits, and a native of Florida, together with six prime African men, my own slaves, liberated for that express purpose, to the northeast side of the island of Haïti, near Porte Plate, where we arrived in the month of October, 1836, and after application to the local authorities, from whom I rented some good land near the sea, and thickly timbered with lofty woods, I set them to work cutting down trees about the middle of November, and returned home to Florida. My son wrote to us frequently, giving an account of his progress. Some of the fallen timber was dry enough to burn off in January, 1837, when it was cleared up, and eight acres of corn planted, and as soon as circumstances would allow, sweet potatoes, yams, cassava, rice, beans, peas, plantains, oranges, and all sorts of fruit-trees were planted in succession. In the month of October, 1837, I again set off for Haïti, in a coppered brig of 150 tons, bought for the purpose, and in five days and a half, from St. Mary's in Georgia, landed my son's wife and children at Porte Plate, together with the wives and children of his servants, now working for him under an indenture of nine years; also two additional families of my slaves, all liberated for the express purpose of transportation to Haïti, where they were all to have as much good land in fee, as they could cultivate, say ten acres for each family, and all its proceeds, together with one-fourth part of the nett proceeds of their labor on my son's farm, for themselves; also victuals, clothes, medical attendance, &c., gratis, besides Saturdays and Sundays, as days of labor for themselves, or for rest, just at their option.

On my arrival at my son's place, called Cabaret, (twenty-seven miles east of Porte Plate) in November, 1837, as before stated, I found everything in the most flattering and prosperous condition. They had all enjoyed good health, were overflowing with the most delicious variety and abundance of fruits and provisions, and were overjoyed at again meeting their wives and children, whom they could introduce into good comfortable log houses all nicely white-washed, and in the midst of a profuse abundance of good provisions, as they had generally cleared five or six acres of land each, which being very rich, and planted with every variety to eat or to sell, they had be-

come traders in rice, corn, potatoes, sugar cane, fowls, peas, beans, in short every thing to sell on their own account, and had already laid up thirty or forty dollars apiece. My son's farm was upon a larger scale, and furnished with more commodious dwelling houses, also with store and out houses. In nine months he had made and housed three crops of corn of twenty-five bushels to the acre, each, or one crop every three months. His high land rice, which was equal to any in Carolina, so ripe and heavy as some of it to be couched or leaned down, and no bird had ever troubled it, nor had any of the fields ever been hoed, there being as yet no appearance of grass. His cotton was of an excellent staple; in seven months it had attained the height of fifteen feet; the stalks were ten inches in circumference, and had upwards of five hundred large boles on each stalk, (not a worm or red bug as yet to be seen.) His yams, cassava, and sweet potatoes, were incredibly large, and plentifully thick in the ground; one kind of sweet potato, lately introduced from Tahite (formerly Otaheite) Island in the Pacific, was of peculiar excellence; it tasted like new flour, and grew to an ordinary size in one month. Those I ate at my son's had been planted five weeks, and were as big as our full-grown Florida potatoes. His sweet orange-trees budded upon wild stalks cut off, (which every where abound) about six months before, had large tops, and the buds were swelling as if preparing to flower. My son reported that his people had all enjoyed excellent health, and had labored just as steadily as they formerly did in Florida, and were well satisfied with their situation, and the advantageous exchange of circumstances they had made. They all enjoyed the friendship of the neighboring inhabitants, and the entire confidence of the Haïtien government.

I remained with my son all January, 1838, and assisted him in making improvements of different kinds, amongst which was a new two story house, and then left him to go to Port-au-Prince, where I obtained a favourable answer from the President of Haïti, to his petition, asking for leave to own in fee simple, the same tract of land upon which he then lived as a tenant, paying rent to the Haïtien Government, which was ordered to be surveyed to him, and valued, and not expected to exceed the sum of three thousand dollars. After obtaining this land in fee for my son, I returned to Florida in February, 1838.

As France has now consented to the independence of Haïti, to which it has formally relinquished all its claims, I will say a few words, in answer to some objections which I have heard made by very prudent people, to the policy of encouraging the growth and civilization of the Island of Haïti, which objections

I presume, originated in the fear of having a free colored Government and powerful people, so near our own slaveholding States. If this evil of situation, arising from a natural cause, could be obviated, it certainly would be prudent to remove it. But as Haïti enjoys so many permanent natural advantages over any equal portion of our neighboring continent, either as it relates to climate, soil, or situation, moreover its great extent and extraordinary fertility render it capable of supporting a population, of at least fourteen millions of people, which, independent of all our efforts to the contrary, will fill up by natural increase in a few years, would it not be our best policy to cultivate a friendly understanding with a formidable people, improve their moral habits, and advance their civilization as fast as lies in our power? Haïti was formerly the commercial emporium of the western world; it supplied both hemispheres with sugar and coffee; it is now recovering fast from a state of anarchy and destitution, brought on by the French Revolution. Its Government stands on a very respectable footing, and it only requires capital and education, to become a country of great commercial importance, and able to supply the whole consumption of the United States with sugar and coffee. The European nations are now taking advantage of this state of things, and are cultivating a friendly commercial intercourse with Haïti. Is it not our best policy to profit by the natural advantages which we have over them, arising from circumstances peculiar to our situation, and encourage as fast as possible the industrious and most respectable part of our free colored population, especially the agricultural part, to emigrate to that country, now mostly vacant, which is within a week's sail of our own coast? The natural attachment of those emigrants toward the country of their birth would greatly help to promote harmony and good will by an assimilation of manners, customs, and language, tending to strengthen the chain of commercial relations much to our advantage.

Finally, sir, I have to observe, that if any colored people of the above description should apply to you for further information regarding Haïti, you may assure them of a good reception at George Kingsley's establishment near Porte Plate, where they will find plenty of good land to cultivate, which they may either rent or buy upon the most liberal terms; and that six months' labor as agriculturists, will render them entirely independent of all future want of provision. You may also assure them of Haïti's being comparatively a much healthier country than any of our seaboard countries south of New-York.

I remain, very respectfully, your most obedient,

Z. KINGSLEY, *A Florida Planter.*

